

**CALIFORNIA ENERGY COMMISSION**

1516 NINTH STREET  
SACRAMENTO, CA 95814-5512  
www.energy.ca.gov



January 2, 2009

Ausra CA II, LLC  
Attn: Perry Fontana  
2585 East Bayshore Road  
Palo Alto, California 94303

OptiSolar  
Attn: Wayne Hoffman  
31302 Huntwood Ave.  
Hayward, California 94544

SunPower  
Attn: Paul McMillan  
6 Morgan Street, Suite 122  
Irvine Spectrum  
Irvine, California 92618

United States Fish and Wildlife Service  
Attn: Susan Jones  
2800 Cottage Way, Room W-2605  
Sacramento, California 95825

California Department of Fish and Game  
Attn: Deb Hillyard  
P. O. Box 1388  
Morro Bay, California 93443

San Luis Obispo County, Environmental and Resources Management Division  
Attn: John McKenzie  
976 Osos Street, Room 300  
San Luis Obispo, California 93408

**RE: Wildlife Corridor Modeling for Proposed Solar Projects in Carrizo Plain;  
Carrizo Energy Solar Farm (07-AFC-8); OptiSolar Topaz Solar Farm;  
SunPower California Valley Solar Ranch**

Ladies and Gentlemen:

I am writing to you concerning an issue of importance to the public interest, to the California Energy Commission (Energy Commission) siting process, and to each of your companies and agencies individually.

As you know, in order to address the urgent issue of atmospheric greenhouse gas (GHG) emissions, the State of California has embarked on an ambitious program to increase California's reliance on renewable energy projects, such as those currently being developed or planned by Ausra, OptiSolar, and SunPower in California's Carrizo Plain. California

needs such renewable energy projects if it is to meet the goals of groundbreaking legislation such as AB 32 and the state's Renewable Portfolio Standard.

While the Energy Commission is committed to encouraging and supporting the development of renewable energy projects in California, we are also as a matter of law and public policy charged with the responsibility of adequately protecting the environment and assuring that appropriate mitigation is achieved to address the environmental impacts associated with the development of power plants, including renewable energy power plants.

In this case, the three above-referenced large-scale solar projects are proposed to be sited in an area which supports one of the highest concentrations of special status species in California, as well as uncommon native game populations for which the state has committed considerable effort and public funds to re-establish and manage. The site is also in an area identified as critical for the recovery of federally listed species and is a crucial wildlife movement corridor.

Therefore, as you are aware, the Energy Commission staff in processing Ausra's Application for Certification of the Carrizo Energy Solar Farm (CESF) has been cooperatively consulting with the United States Fish and Wildlife Service (USFWS), the California Department of Fish and Game (CDFG) and the County of San Luis Obispo's Environmental and Resource Management Division (SLO) in order to develop an appropriate wildlife corridor model that best and most accurately illustrates the direct and cumulative contributions to wildlife corridor impacts of the CESF and two other proposed large-scale solar projects proposed in the Carrizo Plain. Unfortunately, our attempts to address and resolve this issue in a timely manner have been delayed.

On October 2, 2008, the Energy Commission staff scheduled a meeting to attempt to arrange for a coordinated approach for the analysis of wildlife corridors through the envisioned Carrizo project area. Invitations were extended to representatives of Ausra, Optisolar, and SunPower, however all three companies declined to attend, therefore the four cooperating agencies (Energy Commission, USFWS, CDFG and SLO) held the meeting without them.

The smallest (Ausra) of the three solar projects is approximately one square mile in size, while the other two are considerably larger. The Energy Commission has limited experience analyzing the wildlife corridor impacts of such large-scale projects, since the typical fossil-fuel-fired power plant that the Energy Commission has historically licensed is orders of magnitude smaller in physical size. Energy Commission staff therefore want to develop the most accurate wildlife corridor modeling possible for these three projects, since this new modeling tool will likely serve as the foundation for the Energy Commission's corridor analysis of additional solar-thermal power plant Applications for Certification that are expected to follow in the immediate and foreseeable future.

A regulatory issue that could impede progress is the bifurcated jurisdiction over these projects since the Energy Commission has jurisdiction only over the Ausra solar-thermal project, while siting of the other two photovoltaic projects is under the local jurisdiction of the county. Nonetheless, all three projects are invariably interrelated due to their respective cumulative impacts on the environment. In addition, there are some procedural and timing issues due to the fact that Ausra's CESF is an actual project currently under consideration before the Energy Commission, while OptiSolar has only recently filed an application with

the county, and SunPower, to our knowledge, has not yet filed a formal siting application. Without a coordinated approach to review all three solar projects by the four cooperating governmental agencies directly or indirectly involved in their proposed licensing, these projects could be negatively impacted by a failure to follow a consistent analytical review or a failure to accurately and equitably apportion mitigation among the projects according to each project's contribution to the cumulative impacts on local wildlife corridors.

The potential impacts to wildlife corridors need to be expeditiously resolved to enable these projects to proceed. Conversely, failure to address these issues threatens not only the viability of these three projects, but also California's statewide efforts to encourage development of renewable solar energy.

Therefore, I am writing this letter to request your immediate cooperation in assisting the Energy Commission in developing a coordinated approach to wildlife corridor modeling for these three solar projects in the Carrizo Plain. Because the proposed OptiSolar and SunPower projects do not fall under the Energy Commission's jurisdiction, we cannot require the participation of those two projects. However, we encourage the county, OptiSolar, and SunPower to actively participate in a coordinated review of all three projects because this is necessary to the success of each project.

A failure to resolve the wildlife corridor issues could negatively impact not only these three projects but the additional renewable energy projects that are expected to follow throughout California. For all the above reasons, I request your cooperation and participation in the upcoming wildlife corridor study workshop to be held by teleconference on January 7, 2009. I further request your participation and cooperation in any additional future public wildlife corridor modeling workshops to be undertaken by Energy Commission staff in conjunction with Ausra's pending Application for Certification. It should be noted that Ausra has recently confirmed that it will participate in the January 7 teleconference. If you have any suggestions on how to more effectively coordinate the review of these projects, please provide us with your recommendations.

Thank you for your consideration of this request and your willingness to consider these important issues.

Sincerely,

TERRENCE O'BRIEN  
Deputy Director  
Siting, Transmission and  
Environmental Protection Division

cc: Docket (07-AFC-8)  
Proof of Service List  
Melissa Jones, Executive Director  
Dave Hacker, CDFG  
Mark D'Avignon, U.S. Army Corps of Engineers  
Darren Bouton, Deputy Cabinet Secretary, Governor's Office